

Approved A. Douville 3-1-89  
Date

MINUTES OF THE House COMMITTEE ON Labor and Industry

The meeting was called to order by Representative Arthur Douville at  
Chairperson

2:10 a~~xx~~p.m. on February 20, 1989, in room at the rail of the Capitol.

All members were present except:  
Representative Buehler - Excused  
Representative Everhart - Excused  
Representative Green - Excused  
Representative Lawrence - Excused  
Representative O'Neal - Excused  
Representative Patrick - Excused  
Representative Roper - Excused

Committee staff present:  
Jim Wilson - Revisor of Statutes' Office  
Kay Johnson - Committee Secretary

Conferees appearing before the committee:

Upon adjournment of the House of Representatives, the House Labor and Industry Committee met at the rail for a brief meeting. Chairman Douville called the meeting to order at 2:10 p.m. and requested that a committee bill be drafted dealing with compensation paid to a worker by a party that, on appeal or review, said party is held not liable or liable for less compensation, attachment #1. Representative Whiteman questioned the language of the proposed bill and Chairman Douville said that no employee will be asked to pay back compensation received, but that can be discussed after the bill is introduced to the committee. Representative Flottman moved the bill be drafted as a committee bill and was seconded by Representative Cribbs. The motion carried.

Representative Schauf, citing a problem with air ambulance pilots, moved that a bill be drafted relating to the definition of employment. Representative Flottman seconded the motion and the motion carried.

No objections having been heard, the minutes of January 26, 1989 stand approved.

The meeting adjourned at 2:15 p.m. The next meeting of the committee is Wednesday, February 22, 1989 at 9:00 a.m. in room 526-S.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

*A. McDaniel 3-7-89*

I would suggest legislation along the following lines:

"If compensation has been paid to the worker by the employer or the employer's insurance carrier or the Kansas State Self-Insurance Fund or the Kansas Workers' Compensation Fund during the pendency of review by the District Court or by Appellate Court, and the party held liable for part or all of the payment of this compensation by the Director of the District Court is, on appeal or review, held not liable for the compensation paid or liable for less compensation and ordered by the Director or District Court, that party shall be reimbursed from the party or parties held liable on appeal or review for that amount which was erroneously ordered paid by the Director or District Court."

Thank you for your attention to this matter.

HOUSE LABOR AND INDUSTRY  
Attachment #1  
02-20-89